

1

2

3

4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6

7 LISA PRONZINI,
8 Plaintiff,
9 v.
10 COSTCO WHOLESALE CORPORATION,
11 Defendant.

Case No. [17-cv-07148-MEJ](#)

**ORDER VACATING CMC;
ORDER TO SHOW CAUSE**

12
13 In its Initial Case Management Scheduling Order, the Court ordered the parties to file a
14 Joint Case Management Conference (CMC) Statement by March 8, 2018, and to attend an Initial
15 CMC on March 15, 2018. Dkt. No. 3 (“Counsel must comply with the case schedule listed below
16 unless the Court otherwise orders.”); *see also* Fed. R. Civ. P. 16(a); Civ. L.R. 16-9(a). The Court
17 also ordered the parties to meet and confer no later than February 22, 2018 regarding certain
18 topics, and to file ADR Certifications and either a Stipulation to ADR Process or a Notice of Need
19 for ADR Phone Conference. *See* Sched. Order.

20 On March 15, 2018, Defendant filed a separate CMC statement, which is supported by a
21 declaration of counsel. *See* Def.’s CMC Stmt., Dkt. No. 10; Young Decl., Dkt. No. 10-1. Counsel
22 declares that between December 18, 2017 and February 26, 2018, Defendant made four attempts
23 to engage Plaintiff’s counsel in the preparation of a Joint CMC Statement and the completion of
24 the Notice of Need for ADR Conference. Young Decl. ¶¶ 6-9 & A-D. Defendant represents
25 Plaintiff’s counsel never responded. *Id.* ¶ 10. Plaintiff did not file a separate CMC statement by
26 the March 8, 2018 deadline for doing so. *See* Docket. The Court accordingly VACATES the
27 March 15, 2018 conference.

28 In addition, it appears that neither of the attorneys listed on the caption of the Complaint is

1 a member of the bar of this Court. They cannot represent Plaintiff in this action without being
2 admitted to practice in the Northern District of California. *See* Civ. L.R. 11-1.

3 Finally, the Court ORDERS Plaintiff to show cause why she should not be sanctioned for
4 failing to abide by this Court's Scheduling Order and failing to confer with Defendant to develop a
5 Joint CMC Statement. *See* Fed. R. Civ. P. 37(f). Plaintiff must show cause, in writing, no later
6 than March 30, 2018. Failure to respond to this Order to Show Cause may result in the imposition
7 of sanctions, including monetary sanctions or dismissal for failure to prosecute and failure to abide
8 by the Court's orders.

9 **IT IS SO ORDERED.**

10
11 Dated: March 9, 2018

12 
13 MARIA-ELENA JAMES
14 United States Magistrate Judge